

1 **BEFORE THE ARIZONA BOARD**
2 **OF MASSAGE THERAPY EXAMINERS**

3 In the Matter of

4 **JUSTIN BLANCHARD, LMT**

5 Holder of License No. MT-14831
6 As a Massage Therapist
7 In the State of Arizona

Board Case No. 20-117

CONSENT AGREEMENT

8 In the interest of a prompt and judicious settlement of this case, consistent with the
9 public interest, statutory requirements and the responsibilities of the Arizona State Board
10 of Massage Therapy ("Board") under A.R.S. § 32-4201, *et. seq.*, Justin Blanchard
11 ("Respondent"), holder of Massage Therapist License Number MT-14831 in the State of
12 Arizona, and the Board enter into the following Recitals, Findings of Fact, Conclusions
13 of Law and Order ("Consent Agreement") as a final disposition of this matter.

14 **RECITALS**

15 1. Respondent has read and understands this Consent Agreement and has had
16 the opportunity to discuss this Consent Agreement with an attorney, or has waived the
17 opportunity to discuss this Consent Agreement with an attorney.

18 2. Respondent understands that Respondent has a right to a public
19 administrative hearing concerning this matter, at which hearing Respondent could present
20 evidence and cross examine witnesses. By entering into this Consent Agreement,
21 Respondent knowingly and voluntarily relinquishes all right to such an administrative
22 hearing, as well as rights of rehearing, review, reconsideration, appeal, judicial review or
23 any other administrative and/or judicial action, concerning the matters set forth herein.

24 3. Respondent affirmatively agrees that this Consent Agreement shall be
25 irrevocable.

1 4. Respondent understands that this Consent Agreement or any part of the
2 agreement may be considered in any future disciplinary action by the Board.

3 5. Respondent understands this Consent Agreement deals with Board case
4 number 20-117 involving allegations that Respondent engaged in conduct that would
5 subject Respondent to discipline under the Board's statutes and rules. The investigation
6 into these allegations against Respondent shall be concluded upon the Board's adoption
7 of this Consent Agreement.

8 6. Respondent understands that this Consent Agreement does not constitute a
9 dismissal or resolution of any other matters currently pending before the Board, if any,
10 and does not constitute any waiver, express or implied, of the Board's statutory authority
11 or jurisdiction regarding any other pending or future investigation, action or proceeding.

12 7. Respondent also understands that acceptance of this Consent Agreement
13 does not preclude any other agency, subdivision, or officer of this State from instituting
14 any other civil or criminal proceedings with respect to the conduct that is the subject of
15 this Consent Agreement.

16 8. Respondent acknowledges and agrees that, upon signing this Consent
17 Agreement and returning this document to the Board's Executive Director, Respondent
18 may not revoke acceptance of the Consent Agreement or make any modifications to the
19 document regardless of whether the Consent Agreement has been signed by the
20 Executive Director. Any modification to this original document is ineffective and void
21 unless mutually agreed by the parties in writing.

22 9. This Consent Agreement is effective only when signed by the Executive
23 Director on behalf of the Board.

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1 10. If a court of competent jurisdiction rules that any part of this Consent
2 Agreement is void or otherwise unenforceable, the remainder of the Consent Agreement
3 shall remain in full force and effect.

4 11. Respondent understands that this Consent Agreement is a public record that
5 may be publicly disseminated as a formal action of the Board and may be reported as
6 required by law to the National Practitioner Data Bank or other such databases.

7 12. Respondent agrees that the Board will adopt the following Findings of Fact,
8 Conclusions of Law and Order.

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10 ACCEPTED AND AGREED BY RESPONDENT

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12 
13 Justin Blanchard

Dated: 12/02/2019

14 **FINDINGS OF FACT**

15 1. The Board is the duly constituted authority for licensing and regulating the
16 practice of Massage Therapy in the State of Arizona.

17 2. Respondent is the holder of license number MT-14831 to practice as a
18 Massage Therapist in the State of Arizona.

19 3. On June 11, 2019, Respondent provided pled guilty on Case # CR2018-
20 159261-001-SE for Criminal Trespassing in the first degree, a class one (1) misdemeanor
21 and CR2019-102488-001-SE for Possession of Marijuana, a class one (1) misdemeanor,
22 in the Superior Court of Maricopa County and failed to notify the Arizona State Board of
23 Massage Therapy of his arrest and/ or conviction within 10 days of each occurrence,
24 which is a violation of Arizona State Law.

25 4. Respondent did not report his arrest to the Board within ten days.
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CONCLUSIONS OF LAW

1. The conduct and circumstances described in the above Factual Allegations constitute grounds for discipline pursuant to A.R.S. § 32-4253(A)(10) (engaging in conduct that could result in harm to the public).

2. The conduct and circumstances described in the above Findings of Fact constitute grounds for discipline pursuant to A.R.S. § 32-3208 (requiring health professionals to disclose criminal charges to the Board within ten days).

ORDER

IT IS HEREBY ORDERED that License Number MT-114831 issued to Justin Blanchard (Respondent) to practice as a massage therapist in the State of Arizona is hereby ordered to pay a \$100.00 Civil Penalty within ninety (90) days of this order. Respondent is subject to the following terms and conditions:

1. **Termination of the Consent Agreement:** Respondent must pay the \$100.00 Civil Penalty within ninety (90) days.

2. **General Provisions:**

a. Respondent shall pay all necessary fees ordered by the Board. Respondent's massage therapy license will remain in an active status.

b. Respondent shall obey all federal and state laws and rules governing the practice of Massage Therapists.

c. Respondent shall pay all costs associated with complying with this Order.

d. If Respondent violates this Order in any way or fails to fulfill the requirements of this Order, the Board, after giving the Respondent notice and the opportunity to be heard, may revoke, suspend or take other disciplinary actions against Respondent's license. The issue at such a hearing will be limited solely to whether this Order has been violated.

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DATED this 1st day of November, 2019.

ARIZONA STATE BOARD OF MASSAGE
THERAPY

(Seal)

By: 
Thomas Augherton
Executive Director

Original of the foregoing filed
this 1st day of November, 2019, with:

Arizona Board of Massage Therapy
1740 W. Adams St., 3rd Floor #3401
Phoenix, Arizona 85007

Copy of the foregoing mailed/e-mailed
this 1st day of November, 2019, to:

Justin Blanchard Taylor
7 S Sahuaro Drive
Gilbert, Arizona 85233
justinblanchard@hotmail.com
Respondent

Copy of the foregoing e-mailed
This 1st day of November, 2019, to:

Michael Raine
Assistant Attorney General
Michael.raine@azag.gov

By: 